

Translation

Patent PCT/DE 09/ APR 2005

PATENT COOPERATION TREATY

PCT/DE2003/003285



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2002P09336WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE2003/003285	International filing date (day/month/year) 02 October 2003 (02.10.2003)	Priority date (day/month/year) 09 October 2002 (09.10.2002)
International Patent Classification (IPC) or national classification and IPC H04L 29/06		
Applicant SIEMENS AKTIENGESELLSCHAFT		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.	
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet. <input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <u> </u> sheets.	
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application	

Date of submission of the demand 04 May 2004 (04.05.2004)	Date of completion of this report 18 January 2005 (18.01.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE2003/003285

I. Basis of the report

1. This report has been drawn on the basis of *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

☐ the international application as originally filed.

☒ the description, pages 1-9, as originally filed,
pages _____, filed with the demand,
pages _____, filed with the letter of _____,
pages _____, filed with the letter of _____.

☒ the claims, Nos. 1-15, as originally filed,
Nos. _____, as amended under Article 19,
Nos. _____, filed with the demand,
Nos. _____, filed with the letter of _____,
Nos. _____, filed with the letter of _____.

☒ the drawings, sheets/fig 1/1, as originally filed,
sheets/fig _____, filed with the demand,
sheets/fig _____, filed with the letter of _____,
sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/DE 03/03285

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	4, 5, 9, 13, 15	YES
	Claims	1-3, 6-8, 10-12, 14	NO
Inventive step (IS)	Claims		YES
	Claims	1-15	NO
Industrial applicability (IA)	Claims	1-15	YES
	Claims		NO

2. Citations and explanations

1. Reference is made to the following documents:

- D1: US-A-6 023 724 (BHATIA RAJIV ET AL)
8 February 2000 (2000-02-08)
- D2: US-B1-6 282 660 (WATTS ROBERT F ET AL)
28 August 2001 (2001-08-28)
- D3: BRYCE J Y: "OPTIMIZING ISDN TO GIVE MORE
CAPACITY AT LESS COST", ANNUAL REVIEW OF
COMMUNICATIONS, NATIONAL ENGINEERING
CONSORTIUM, CHICAGO, IL, US, vol. 51, 1998,
pages 379-388, XP000793145 ISSN: 0886-229X.

2. The subject matter of independent claim 10 lacks novelty (PCT Article 33(2)).

Document D1 discloses the following features of claim 10 (the references between parentheses relate to said document):

a method for controlling an authentication procedure in a telecommunications network, said method comprising the following steps:

/...

- monitoring data traffic on an external data transmission interface and/or monitoring data traffic destined for the external data transmission interface on an internal data transmission interface of a subscriber connection device for connecting a user region to a switching centre (column 11, lines 26-34),
 - the external data transmission interface comprising at least one physical data transmission channel as well as an authentication channel (column 11, lines 24-26; column 20, lines 6-18), and
 - controlling logon and logoff operations in the authentication channel, as a function of the monitored data traffic (column 11, lines 35-37).
3. The features of claim 10 are also disclosed in each of documents D2 (for example column 6, lines 14-26; figure 4) and D3 (e.g. page 381, right-hand column, final paragraph; page 383, left-hand column, penultimate paragraph).

Monitoring data traffic (for example displaying data traffic by means of a light diode) when a user region is connected via a data transmission interface to a switching centre and logging off in the authentication channel dependent on the monitored data traffic (for example shutdown after a period of inactivity) are likewise known to a person skilled in the art.

/...

4. Should novelty be the subject of contention on the basis of minor differences of interpretation, the applicant is advised that the subject matter of independent claim 10 does not involve an inventive step (PCT Article 33(3)).
5. The above observations also apply in respect of the subject matter of independent claim 1, which concerns structural features corresponding to the subject matter of claim 10.
6. Dependent claims 2-9 and 11-15 contain no features which, combined with the features of any claim to which they refer, meet the PCT requirements for novelty and/or inventive step. The features are either disclosed in D1 (for example "the control unit monitors the data traffic in a specific time window"), D4 (for example "the data transmission interface implements a data transmission in accordance with ITU standard G.992.1") or are obvious to a person skilled in the art (for example "the subscriber connection device comprises an xDSL modem" and "the data transmission channel of the external data transmission interface is always active").
7. Further observations:

The subject matter of independent claims 1 and 10 is directed to a device and a method, respectively, for controlling authentication in a telecommunications network. The claims attempt to define the subject matter in terms of the result to be achieved, but in

/...

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE 03/03285

so doing merely state the problem to be solved,
offering no technical features that are necessary
for the achievement of said result. In consequence,
the scope of protection is unclear (PCT Article 6).